



**CITY COUNCIL**

JAN SUMRALL  
DISTRICT NO. 1

ROSE RODRIGUEZ  
DISTRICT NO. 2

LARRY M. MEDINA  
DISTRICT NO. 3

JOHN COOK  
DISTRICT NO. 4

DANIEL S. POWER  
DISTRICT NO. 5

PAUL J. ESCOBAR  
DISTRICT NO. 6

LUIS G. SARIÑANA  
DISTRICT NO. 7

ANTHONY COBOS  
DISTRICT NO. 8

REGULAR COUNCIL MEETING  
COUNCIL CHAMBERS  
FEBRUARY 12, 2002  
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Paul Joseph Escobar, Luis G. Sariñana and Anthony Cobos. Absent: None. Meeting was called to order and the invocation was given by Minister Jerry Wilkerson, Unity Missionary Baptist Church, followed by the Pledge of Allegiance to the Flag of the United States of America.

Mayor's Presentations:      1.      2002 El Paso Golden Gloves Tournament Week  
                                         2.      Life Insurance Week - February 18-22

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**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor, on behalf of the City and the El Paso Public Library system, accept the donation by Boys and Girls Clubs of El Paso of transportation services for participants in the "Hangout With Your Valentine" event on Friday, February 15, 2002, at the Clardy Fox Branch of the Library. The event is part of the "Hangout@elpasolibrary" initiative, which promotes reading and library services to El Paso's teenagers in a nontraditional manner, encouraging them to use the Library more often.

Ms. Carol Brey, Director of Libraries, explained that the library has sponsored many teen events and this Resolution would provide transportation in order to allow young people to attend the event. She thanked the Boys and Girls Clubs of El Paso for providing such transportation. She noted that the City Attorney's office had prepared parent permission slips that the young people must have signed in order to participate in the event.

Motion made by Representative Cobos, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

Representative Sumrall was not present for the vote.

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Motion made by Representative Medina, seconded by Representative Sumrall, and carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.  
(Items approved under Consent Agenda will be shown with an asterisk {\*}).  
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\*Motion made, seconded and unanimously carried to approve the Minutes for Regular City Council Meeting of October 9, 2001.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to file a grant application with the Federal Aviation Administration (FAA), for transportation security projects pursuant to the Aviation and Transportation Security Act (Public Law 107-71) and that Patrick T. Abeln, A. A. E., Director of Aviation, be designated official representative of the City to act in connection with the application.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign Amendment No. 1 to the Grant Agreement with the Federal Aviation Administration, together with those necessary related documents. The Amended Agreement is based upon the grant offer for Project No. 3-48-0077-17-01 at El Paso International Airport. The amendment corrects the grant description by changing the runway designation from "rehabilitate Runway 8L/26R" to "rehabilitate Runway 8R/26L".

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Amendment to the November 13, 2001, Contract (part of the Arts Resources Department's Young at Art Series) between the City and Missoula Children's Theatre to reflect the change in performance dates under the Contract from January 11 and 12, 2002, to August 17, 2002, and the change in performance location from the Chamizal National Memorial to the Ysleta Independent School District Conference Facilities, respectively. The \$4,185.00 cost of the performance is to be underwritten by Price's Creameries, and will now be at no cost to the City.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City approve of the revision to the grant application and submission to the Office of the Governor, Criminal Justice Division, for grant funding in the revised amount of \$40,000.00 (Violence Against Women Act funds) that will be for the time period of June 1, 2002 through December 31, 2002, for the purpose of obtaining training, equipment and supplies for the Domestic Abuse Response Team of the El Paso Police Department; no matching funds required; and that the Mayor be authorized to sign and submit any revised grant documents, for this part or the entire amount covering both grant time periods, as may be necessary. The Grant Officials will be as named within the application.

That the El Paso City Council agrees in the event of loss or misuse of Victim Assistance Discretionary Grant funds, the funds will be returned to the Office of the Attorney General in full.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City approve of the revision to the grant application and submission to the Office of the Governor, Criminal Justice Division, to add an additional amount grant funding in the amount of \$53,840.00 (Violence Against Women Act funds) that will be for the time period of January 1, 2003 through August 31, 2003, for the purpose of obtaining training, equipment and supplies for the Domestic Abuse Response Team of the El Paso Police Department; matching funds required in the amount of \$39,930.00 and an in-kind match of \$9,100.00; and that the Mayor be authorized to sign and submit any revised grant documents for this part or the entire amount covering both grant time periods, as may be necessary. The Grant Officials will be as named within the application.

That the El Paso City Council agrees in the event of loss or misuse of Victim Assistance Discretionary Grant funds, the funds will be returned to the Office of the Attorney General in full.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the City of El Paso be authorized to hire Isabel Sanchez of the Mexican law firm of Enriquez-Gonzalez, to provide legal services regarding Mexican laws and regulations applicable to the City, as related to international transit service, and as recommended by the City Attorney; and that the Mayor be authorized to sign, on behalf of the City, any related documentation. The total cost for such services shall not exceed the amount of TWENTY THOUSAND DOLLARS AND 00/100 (\$20,000.00).

Representative Sariñana voted Nay.

**\*RESOLUTION**

**WHEREAS**, the City of El Paso and Instituto Latinoamericano de la Comunicación Educativo of Mexico ("Instituto"), working in conjunction with the Mexican Consulate in El Paso, desire to establish a program to offer educational opportunities for speakers of Spanish in the El Paso area ("the Program"); and

**WHEREAS**, Instituto has arranged for the installation of antennas and other equipment ("the Equipment") at the El Paso Public Library in order to provide access to satellite and video materials for the Program; and

**WHEREAS**, the Equipment was delivered to the Library for installation on February 6, 2002, without prior notice to the Library staff; and

**WHEREAS**, the Mayor has signed a Right-of-Entry Agreement authorizing Instituto to install the Equipment in order to utilize the services of personnel available for such installation and to avoid delays; and

**WHEREAS**, it is the intent of the City and Instituto to negotiate the terms of an agreement to offer the Program to patrons of the Library who may be interested in obtaining formal and informal education in Spanish; and

**WHEREAS**, it is in the public interest that the Program be established and that the Right-of-Entry Agreement be ratified;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

THAT the actions of the Mayor on February 6, 2002, in signing the Right-of-Entry Agreement with th Instituto Latinoamericano de la Comunicación Educativo and authorizing the Instituto to install antennas and related hardware to provide access to satellite and video materials for Spanish-language educational programming at the El Paso Public Library, are hereby ratified.

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\*Motion made, seconded and unanimously carried to delete the Resolution that the Mayor be authorized to sign a Traffic Signal Agreement between the City of El Paso and El Paso Independent School District for the installation of two (2) school flasher signals on Cabaret Street between Mesa Hills and Carousel near Lyndon B. Johnson Elementary School.  
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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign a Traffic Signal Agreement between theCITY OF EL PASO and PHILLIPS 66 COMPANY for the installation of traffic control equipment at the intersection of Lee Trevino Drive and James Watt Drive.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Interlocal Agreement between the City and County of El Paso, on behalf of the El Paso City-County Health and Environmental District, and the Town of Anthony, Texas, for the provision of public health services by the Health Districtto residents of the Town of Anthony. This Agreement is in the amount of \$11,254.00, and shall be effective from September 1, 2001 through August 31, 2002.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Interlocal Agreement between the City and County of El Paso, on behalf of the El Paso City-County Health and Environmental District, and the City of Socorro, Texas, for the provision of public health services by the Health District to residents of the City of Socorro. This Agreement is in the amount of \$117,297.00, and shall be effective from September 1, 2001 through August 31, 2002.

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**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Interlocal Agreement between the City and County of El Paso, on behalf of the El Paso City-County Health and Environmental District, and the Village of Vinton, Texas, for the provision of public health services by the Health District to residents of the Village of Vinton. This Agreement is in the amount of \$8,174.00, and shall be effective from September 1, 2001 through August 31, 2002.

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

## **RESOLUTION**

### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**THAT** the Mayor be authorized to sign a contract with the El Paso Hispanic Chamber of Commerce for \$140,000 for Fiscal Year 2001-2002, for Economic Development assistance in the City of El Paso. This resolution is subject to the appropriate budget and documentation being submitted to the Chief Financial Officer.

Mr. Bill Chapman, Chief Financial Officer, explained that the money was budgeted into the Economic Development Department budget.

Representative Cobos questioned the scope of work.

Mr. Chapman explained that the scope of work was to develop small businesses.

Representative Power commented on Ms. Cindy Ramos' phenomenal development of a "one stop shop" for the small businessman and/or entrepreneur.

Ms. Lisa Turner, citizen, questioned how many Chambers of Commerce the City of El Paso contains and why the Hispanic Chamber of Commerce was selected to receive the funds.

Representative Cobos responded that the City contains at least four Chambers of Commerce and remarked "that it would be beneficial for all the Chambers to work under one "umbrella".

Representative Medina commented on the Greater El Paso Chamber of Commerce's loss of \$140,000.00 due to a lack of performance; however, the Hispanic Chamber of Commerce has exceeded all performance levels.

Mayor Raymond C. Caballero explained that the Greater El Paso Chamber of Commerce withdrew its request for funding and that the City leases one of its buildings to the Greater El Paso Chamber of Commerce for \$1.00 a year. He noted that the Hispanic Chamber of Commerce has been meeting the needs of the small business community.

Representative Power disagreed with Representative Medina's comment and explained that the Hispanic Chamber of Commerce focuses on the small business community.

Representative Cobos remarked that the Greater El Paso Chamber of Commerce has done an impeccable job, as well as, the Hispanic, Black and Korean Chambers of Commerce. He would like to see the Executive Directors of these Chambers of Commerce come together.

Ms. Turner wondered why the City was giving money away when the Economic Development Department was currently under-funded and asked if the Council would find money for the Economic Development Department.

Mayor Caballero explained that when the Greater El Paso Chamber of Commerce withdrew its request for funding, the money was given to the Economic Development Department to promote the development of tourist venues. He stated that the City would be adding substantial staff to the Economic Development Department in the future.

Ms. Turner responded that more money should be given to the Economic Development Department's budget.

Ms. Cindy Ramos-Davidson, Hispanic Chamber of Commerce, offered Ms. Turner the opportunity to tour her facilities and noted that it costs \$344,000.00 to operate the four centers, of which \$140,000.00 supports the Entrepreneurial Centers. She noted that last year, 3,085 clients were seen and 700 counseling appointments of which 92% represents sole proprietorships employing less than 10 employees, 51% are owned by women and 49% are owned by men. She remarked that without the Entrepreneurial Technical Assistance Centers there would not be a place in El Paso for the smaller minority women owned businesses to come.

Mayor Caballero honored Ms. Ramos-Davidson and her organization regarding implementing small businesses offering health insurance for its employees.

Ms. Ramos-Davidson explained the two health insurance plans offered by the Hispanic Chamber of Commerce. She commented on the other Chambers of Commerce working together; however, she added that each organization has its strengths and each organization compliments all economic development initiatives in the City.

Motion made by Representative Power, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

#### **RESOLUTION**

#### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an amendment to the City of El Paso Employee Health Benefits Program Plan Document to expand the definition of dependents eligible for coverage.

Representative Sumrall noted that the State of Texas passed Legislature mandating this and stated that this will allow extended families the necessary health coverage they require.

Mr. David Almonte, Director of OMB, explained that this was a step forward and highlighted what the changes in the eligible dependent coverage included.

Representative Escobar questioned what the financial impact on the plan would be.

Mr. Almonte stated that he did not anticipate the impact to the plan to be great.

Mr. Bill Arballo, AFSCME Local 59, made comments in support of the Resolution. He stated his concerns with the potential cost impact on the current ACCESS program and he encouraged Council Members to sit down with ACCESS to ensure that the economics of the Resolution are not an added burden for the City employee. He asked that a Legislative Review Committee meeting be held to discuss possible financial implications.

Representative Sumrall agreed with Mr. Arballo and noted that as per State law the City was obligated to do pass the Resolution.

Representative Escobar added that it would be difficult to determine how many claims the City might have in a year.



**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Amendment to the Personal Services Contract between the **CITY OF EL PASO** and **RAUL AGUIRRE** to change the type of contract from a Contract Employee to an Independent Contractor.

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an Amendment to the Personal Services Contract between the **CITY OF EL PASO** and **ARMINDA SUSANA PALOMO** to change the type of contract from a Contract Employee to an Independent Contractor.

\*Motion made, seconded and unanimously carried to postpone four (4) weeks that the City of El Paso assume the cost of maintaining lamp posts on Yandell Drive adjacent to the Concordia Cemetery as per agreement between the City of El Paso and the Concordia Heritage Association. These lamp posts were donated by the Association.

**\*NOTICE OF PUBLIC HEARING**

**To All Interested Parties:**

You are hereby notified that at 9:00 a.m. on the 12<sup>th</sup> day of March, 2002 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 10161 Singapore Avenue, in El Paso, Texas, which property is more particularly described as:

Lot: 25, Block 144, Eastwood Heights (Section D), an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 9, Page 38, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Jorge Sanchez, 1801 Wyoming Avenue #201, El Paso, Texas 79902 and Jorge Sanchez, 10161 Singapore Avenue, El Paso, Texas 79925, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring this property into compliance as mandated by Municipal Code Section 18.52.040 and to specify the time it will take to reasonably perform the work.

If the Owner fails, neglects or refuses to comply with the order of City Council the City may pursue one, or more of the following actions:



- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner shows that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

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 Motion made, seconded and unanimously carried that the street and drainage improvements in the North Hills Unit Twenty Subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

Street Improvements:

Loma Del Sol - from the north-easterly property line of Lot 42, Block 48, to the south-westerly property line of Lot 8, Block 10  
 John B. Oblinger - from Loma Del Norte Drive to Loma Del Sol Drive  
 Loma Rica Way - from Loma Del Sol Drive to the end of the cul-de-sac in front of Lot 48, Block 49

Drainage Improvements:

Loma Del Sol Drive (15 ft. Drainage Easement - within Lot 13, Block 10). - 1-14 Grate Drop Inlet Type III; 135.0 ft. of 42.0" R.C.P.; 1-Junction Box/72.0" Manhole; 37.31 ft. of 30.0" R.C.P.; and 1-2 Grate Drop Inlet Type II

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 \*Motion made, seconded and unanimously carried to approve the request to fill the position(s) on a temporary basis in accordance with Article VI, Section 6.6-3, of the Civil Service Charter Provisions:

- A. Aquatics Supervisor (4)
  - B. Recreation Leader III (1)
  - C. Recreation Program Supervisor (1)
- .....

\*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Solid Waste Management

Delete	1.0	Sanitation Worker	GS9
Add	1.0	Laborer	GS7

Delete	4.0	Sanitation Worker	GS9
Add	4.0	Laborer	GS7

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\*Motion made, seconded and unanimously carried to approve the Staffing Table Change for OMB

Add	1.0	Budget Management Analyst III	PM 80
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Add	1.0	Administrative Analyst	PM 78
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\*Motion made, seconded and unanimously carried to re-appoint Mr. Leon Metz to the Twelve Travelers Review Committee by Representative John Cook.

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\*Motion made, seconded and unanimously carried to re-appoint Lee Romero to the Ethics Review Commission by Representative Paul J. Escobar.

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\*Motion made, seconded and unanimously carried to re-appoint Henry Reyes, Jr. to the Ethics Review Commission by Representative Larry M. Medina.

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\*Motion made, seconded and unanimously carried to appoint Robert L. Blumenfeld to the Airport Board by Representative Larry M. Medina.

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\*Motion made, seconded and unanimously carried to remove Melinda Read from the Foster Grandparent Program Advisory Council by Representative Paul J. Escobar.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the installation, power, and maintenance of residential street light(s).

Ms. Lisa Turner, citizen, questioned why street lights were not funded in the City's budget and suggested that more money be added to the representative's discretionary funds to allow for more street lighting in El Paso.

Representative Cobos explained that street lights were factored into the budget; however, through the representative's discretionary funds.

Representative Rodriguez explained the difference between installing street lights in her district as opposed to Representative Power's district.

Mayor Raymond C. Caballero suggested that during next year's budget hearings the issue regarding street lights and paying for them with representative's discretionary funds be addressed.

Representative Sumrall agreed with Ms. Turner's comments and suggested that representatives have a "special projects" fund, within which would be money for street lights. She also addressed concerns regarding placing stop signs and meeting or not meeting, the State guidelines for such placement.

Mayor Caballero thanked Ms. Turner for her comments and asked that a representative from the Traffic/Engineering Department provide the Council Members with a report regarding street lights to include: necessary locations, costs, etc.

Representative Cook commented on the monetary donation provided by Wal-Mart and the installation of lighting in a park in his district. He noted that he receives many requests for street lights and the varying costs of street lighting in the Northeast.

Mr. Ted Marquez, Traffic Engineer Division Manager– Engineering, remarked that new subdivisions require street lighting to be installed by the developer; however, the items on today’s agenda were in field lighting for older neighborhoods. He stated he would provide a report for Council Members to include: funding, contract pricing, contractors, etc.

Motion made by Representative Cobos, seconded by Representative Escobar and unanimously carried to approve installation, power, and maintenance of residential street light(s) at the following location(s):

- A. SW corner of Russell Street at Leavell Avenue for \$929.00.
- B. NW corner of Lackland at Sheppard Avenue for \$929.00.
- C. Between 8317 & 8319 Sageland Way for \$899.00 and between 813 & 817 Andrea for \$899.00.
- D. 11000 Argal Ct. on SE property line for \$1,398.00.

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 \*Motion made, seconded and unanimously carried to award Bid No. 2002-060 Landfill Compactor

Award to:	Rust Tractor Company	
	El Paso, Texas	
*em(s):	Alternate Bid 2	
	Item 1 - Landfill Compactor	\$577,788.00
	Option O5 at No Charge	0.00
	Item 2 – 5 Year Repair Expenses	+ 98,000.00
		<u>\$675,788.00</u>
	Item 3 – Guaranteed Repurchase Price	<u>-156,002.00</u>
		\$519,786.00
	Less Trade-In Allowance	- 4,000.00
	Total Less Repurchase and Trade-In	<u>\$515,786.00</u>

Department: Solid Waste Management  
 Funds Available: 508029-04250203-PMB0003160 (\$577,788.00)  
 502300-34010298 (\$98,000.00)  
 Funding Source: 2002 Solid Waste Management Capital  
 Solid Waste Management Equipment Maintenance Fund  
 Total Award: \$675,788.00

The Equipment Maintenance, Solid Waste Management, and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase a Landfill Compactor. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within one hundred eighty (180) days from the date of award of the contract. No prompt payment discount is offered.

Motion made, seconded and unanimously carried to move to the Regular Agenda Bid No. 2002-061 Used Program Cars

Representative Sumrall questioned why only one vendor responded when 26 bids were mailed out.

Mr. Byron Johnson, Director of Purchasing, defined what a "program" vehicle was and explained why dealerships may not have shown an interest in the bid. He also addressed maintenance on the vehicles, replacement of a vehicle with another vehicle while the previous vehicle was being maintained and the issue of unmarked vehicles.

Representative Cobos questioned the life expectancy of the used vehicles.  
Mr. Johnson responded five years.

Ms. Lisa Turner, citizen, questioned why the use of "used" cars, what the warranty was for the vehicles and the number of vehicles bought.  
Mr. Johnson explained that the vehicles were covered under a full warranty as offered by the dealership and that 38 cars would be bought.

Motion made by Representative Sumrall, seconded by Representative Cook and unanimously carried to award Bid No. 2002-061 Used Program Cars

Award to:	Casa Ford, Inc. El Paso, Texas
Item(s):	2
Amount:	\$461,400.00
Department:	Police
Funds Available:	04250203-508006-PMB0003130
Funding Source:	FY2002 Certificates of Obligation
Total Award:	\$461,400.00

The Police, Equipment Maintenance and Purchasing Departments recommend awards as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) contract, to purchase Used Program Cars. Vendor offers an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised with 180 days. No prompt payment discount is offered.

Representative Medina was not present for the vote.

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\*Motion made, seconded and unanimously carried to approve budget transfer BT2002-265 COMMUNITY DEVELOPMENT

This budget transfer moves funds from the 26<sup>th</sup> Year Contingency Fund to the North Loop Gardens Grant to fund the relocation of a fire hydrant that blocks handicapped access to the newly installed sidewalk on Caliche Way. The North Loop Gardens Street & Drainage Improvements project is a 25<sup>th</sup> Year CDBG project. The relocation of the fire hydrant will be accomplished by El Paso Water Utilities.

Decrease	\$4,036.90	from	71150047/G7126CD000210007/508027	Construction
Increase	\$4,036.90	to	71150000/G7125CD114807585/508027	Construction

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\*Motion made, seconded and unanimously carried to approve budget transfer BT2002-276 AIRPORT  
To set up appropriation for new computers and printers meeting the requirements for the new Peoplesoft  
operating systems.

Increase	\$44,000	to	62620020/P50000441022/503104	Min Comp Eq
Increase	\$44,000	to	62620020/P50000441022/407001	IntrfndTrf In
Increase	\$44,000	to	62620018/P50000241021/507001	IntrfndTrf Out
Increase	\$44,000	to	62620018/P50000241021/407002	Est Rev

NOTE: First two line items were revised to read:

Increase	\$44,000	to	62620001/P50000441022/503104	Min Comp Eq
Increase	\$44,000	to	62620001/P50000441022/407001	IntrfndTrf In

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2002-281 AIRPORT  
Set up appropriation to cover the cost of background checks through the use of fingerprinting as required by  
the new FAA security regulations. Fees charged to users will offset the expense.

Increase	\$20,000	to	62620009/40101/403038	APFingerprt Rev
Increase	\$20,000	to	62620009/40101/502235	APFingerprt Exp

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2002-282 AIRPORT  
Set up appropriation for patching material to fix potholes on Walter Jones Blvd.

Increase	\$15,000	to	62620004/40101/503203	PubAccessMaint
Decrease	\$15,000	from	62620001/40101/504405	Contingency

.....  
Motion made, seconded and unanimously carried to approve budget transfer BT2002-285 PUBLIC  
WORKS

Public Works proposes to appropriate \$1,115,000 to fund design for McCombs Landfill Phase III. Funding  
source is FY 2002 CO's.

Increase	\$1,115,000	to	31250204/PPW020160501/407020	Bond Proc
Increase	\$1,100,000	to	31250204/PPW020160501/508050	Design
Increase	\$ 15,000	to	31250204/PPW020160501/508051	Prgm Mgmt

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2002-286 PUBLIC  
WORKS

Public Works proposes to appropriate \$35,000 to fund land acquisition for Northeast Regional Park.  
Funding source is FY01 2000 Issue Bond Authorization.

Increase	\$35,000	to	31130500/PPW004626268/407001	IntrfndTrf In
Increase	\$35,000	to	31130500/PPW004626268/508000	Land

.....  
**ORDINANCE 15035**

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064, THE  
CLASSIFICATION AND COMPENSATION PLAN, SECTION 4, FRINGE BENEFITS, SUBSECTION 4.9,  
MILITARY LEAVE TO PROVIDE SUPPLEMENTAL PAY FOR EMPLOYEES INVOLUNTARILY CALLED  
BACK TO ACTIVE MILITARY SERVICE AS PART OF MOBILIZATION UNDER OPERATION ENDURING  
FREEDOM OR OPERATION NOBLE EAGLE WHEN THE EMPLOYEE'S MILITARY PAY IS LESS THAN  
THE EMPLOYEE'S CITY SALARY**

Representative Power questioned specific language in the Ordinance which stated "the supplemental pay was limited to a period of 90 calendar days from the date the employee reports to military duty" and asked if the number of days might be extended.

Ms. Lupe Cuellar, Assistant City Attorney, explained that the way the Ordinance currently read, there was no means to extend the time frame.

Representative Sumrall questioned whether a Legislative Review Committee meeting might be held to address Representative Power's concern.

Ms. Cuellar noted that Council Members' action today would be to pass the amendment. She explained that the City of San Antonio notes a 90 day limit, as well as a provision in the document which notes that Council Members may extend the time limit; however, it would take City Council approval. She added that the language could read, for example, limited to 90 calendar days; however, it requires Council approval to extend the 90 days.

Representative Cobos asked if the language, as stated by Ms. Cuellar, could be added to the Ordinance today.

Mr. Charlie McNabb, Chief Administrative Officer, remarked that if Council Members would approve the Ordinance today, those individuals who might be affected by the war would be immediately covered. He remarked that a draft Ordinance would be composed so that the procedure for extension language would be made available.

Mayor Raymond C. Caballero suggested that if Council Members approve the Ordinance today, amendments could be made to the Ordinance at any time.

Mr. McNabb explained that the amendment to the Ordinance could come before Council before the next 90 days have lapsed.

Representative Power asked that the language stating the employee must request supplemental pay from the Personnel Department be part of a Standard Operating Procedure for those City employees who may be already deployed.

Ms. Cuellar explained specific language in the Ordinance for Representative Medina.

Mr. McNabb clarified that the City could not legally approve retroactive pay as stated in the Texas Constitution.

Representative Medina questioned what the estimated cost to the City would be.

Ms. Terry A. Bond, Interim Director of Personnel, estimated \$369,000.00 for the 30 individuals currently identified; however, she noted approximately one individual per week has been called to active duty and these individuals have not yet reported back to the City jobs.

Representative Cook noted that Police, EMS and Fire have come under budget for their overtime to the tune of \$382,784.00.

Representative Power questioned how the City would be paying for this.

Mr. Bill Chapman, Chief Financial Officer, explained that there was money in the salary reserve.

Ms. Lisa Turner, citizen, asked that the City use the "base pay" to determine the amount of wages in order to treat City employees fairly. She commented on the differences between hazardous duty, demolition, combat, jump, flight and other types of pay. She wondered how the City would receive the LES for City employees stationed overseas.

Representative Power explained that the City employee would turn their LES request into Personnel prior to the deployment.

Mayor Raymond C. Caballero explained that this was a work in progress and the "glitches" would be ironed out eventually.

Mr. McNabb stated that everyone would be treated fairly and that the City would be ensuring the individual(s) would not be making less money than while the individual was working at his/her City job. He asked that Council Members approve the Ordinance as stated to benefit those individuals on military leave; however, if language within the Ordinance would need adjustments, the City Attorney's office would make the necessary adjustments and bring those back to City Council for approval at a later date.

Motion duly made by Representative Medina, seconded by Representative Cook, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

Representative Escobar was not present for the vote.

ORDINANCE 15036

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN, ON BEHALF OF THE EL PASO WATER UTILITIES—PUBLIC SERVICE BOARD, A QUITCLAIM DEED CONVEYING TO THE STATE OF TEXAS AN EASEMENT IN LAND CONSISTING OF 0.265 ACRE, BEING A PORTION OF TRACT 46A, NELLIE D. MUNDY SURVEY NO. 241, AND LOCATED IN GRANBY STREET BETWEEN MODESTA AND PASCAL STREETS, EL PASO, EL PASO COUNTY, TEXAS.**

There being no public comment, the vote was taken.

Motion duly made by Representative Sumrall, seconded by Representative Escobar, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

Representative Medina was not present for the vote.

ORDINANCE 15037

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE MAYOR TO SIGN A RELEASE OF RIGHT OF ENTRY AND POSSESSION FOR A PORTION OF SURVEY NO. 266, CERT. 21/239 S.A. & M.G. RAILWAY CO. SURVEYS AFFECTING APPROXIMATELY 41 ACRES OF LAND, MORE OR LESS, BEING A PARCEL OF LAND AT REDD ROAD BETWEEN SOUTHWESTERN DRIVE AND GUS RALLIS DRIVE, EL PASO, EL PASO COUNTY, TEXAS.**

Representative Sumrall asked for an elaboration.

Mr. Robert Andron, Assistant City Attorney, clarified for Representative Sumrall.

There being no public comment, the vote was taken.

Motion duly made by Representative Sumrall, seconded by Representative Cobos, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....  
ORDINANCE 15038

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE THE CLASS OF MUSEUM PREPARATOR**

There being no other public comment, the vote was taken.

Motion duly made by Representative Cobos, seconded by Representative Sumrall, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

Representative Escobar was not present for the vote.  
.....



## RESOLUTION

WHEREAS, the Building Official and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 10453 Chinaberry Drive, in El Paso, Texas, which property is more particularly described as follows:

Lot: 30, Eastwood #9, Block 37

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and

WHEREAS, Elizabeth Duckworth, 3816 South Lamar Apt. #404, Austin, Texas 78704, record Owner, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on February 12<sup>th</sup>, 2002; and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:

- a. That the structure located on said property is condemned as substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
- b. That the structure is not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
- c. The structure's certificate of occupancy is hereby revoked; and
- d. That the structure can be repaired.

1. That the City Council hereby orders Owner to comply with the following requirements:

- a. That the Building be secured within (30) days; and
- b. That the premises be cleaned of all weeds, trash and debris within (30) days; and
- c. That the Owner of said Building is hereby ordered to comply with all requirements of the Resolution; and
- d. The owner is advised that in order to obtain a new certificate of occupancy, the entire building and its service systems must be brought into compliance with the current codes.
- e. That upon failure of the Owner to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris; and

3. That upon failure of the Owner to comply with this Order, the City of El Paso through its Deputy Director of Building Services shall secure the Building and maintain the Building secure and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owner of said property; and

4. That said Owner shall become personally liable for all costs incurred by City in connection with securing and maintaining the Building secure and cleaning the premises of all weeds, trash and debris; and
5. That the costs incurred by the City in connection with the cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
6. That upon failure of the Owner to comply with this Order, one or all of the following actions will be taken:
  - a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owner of said property, the cost of which shall be assessed as a lien against the property; and
  - b. That upon failure of the Owner to comply with this order the City Council may assess a civil penalty against the property Owner in an amount not to exceed \$1,000.00 a day for each violation or, if the Owner show that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
  - c. That upon failure of the Owner to comply with this order, the Owner may be confined in jail as permitted by state law; and
7. That upon failure of the Owner, any mortgages or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
8. The Owner, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owner and all other persons having interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. the affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Mr. Thomas Maguire, Building Services Department, explained that the Building Services Department had agreed to amend the recommendations to "board and secure the property while the Department asks for the building's demolition" and "to have it cleaned and maintained cleaned".

Representative Sariñana questioned who would do the boarding and cleaning of the building/property and when the action would take place.

Mr. Maguire responded the Street Department and the action would take place as soon as possible.

Motion made by Representative Sariñana, seconded by Representative Cook and unanimously carried to approve the above Resolution, as revised.

Representatives Escobar and Power were not present for the vote.

.....  
RESOLUTION

WHEREAS, the Building Official and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 3417 Durazno Avenue, in El Paso, Texas, which property is more particularly described as follows:

Lot: 9, East El Paso, Block 43

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and

WHEREAS, Samuel and Alma Diaz, 4801 E. Yandell, El Paso, Texas 79903, record Owner, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on February 12<sup>th</sup>, 2002; and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

- 1. That City Council having heard the evidence, makes the following findings:
  - a. That the structure located on said property is condemned as substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
  - b. That the structure is not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
  - c. The structure's certificate of occupancy is hereby revoked; and
  - d. That the structure can not feasibly be repaired.
- 1. That the City Council hereby orders Owners to comply with the following requirements:
  - a. That the Building be demolished within (30) days; and
  - b. That the premises be cleaned of all weeds, trash and debris within (30) days; and
  - c. That the Owners of said Building are hereby ordered to comply with all requirements of the Resolution; and
  - d. The owners are advised that in order to obtain a new certificate of occupancy, the entire building and its service systems must be brought into compliance with the current codes.
  - e. That upon failure of the Owners to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to demolish the Building and clean the premises of all weeds, trash, and debris; and

3. That upon failure of the Owners to comply with this Order, the City of El Paso through its Deputy Director of Building Services shall demolish the Building and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owners of said property; and
4. That said Owners shall become personally liable for all costs incurred by City in connection with demolition of the building and cleaning the premises of all weeds, trash and debris; and
5. That the costs incurred by the City in connection with the demolition of the Building and cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
6. That upon failure of the Owners to comply with this Order, one or all of the following actions will be taken:
  - a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owners of said property, the cost of which shall be assessed as a lien against the property; and
  - b. That upon failure of the Owners to comply with this order the City Council may assess a civil penalty against the property Owners in an amount not to exceed \$1,000.00 a day for each violation or, if the Owners show that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
  - c. That upon failure of the Owners to comply with this order, the Owners may be confined in jail as permitted by state law; and
7. That upon failure of the Owners, any mortgages or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
8. The Owners, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owners and all other persons having interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. the affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Mr. Thomas Maguire, Building Services Department, explained the case, showed slides for Council Members and gave the Department's recommendation(s).

Motion made by Representative Cobos, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

Representative Escobar was not present for the vote.

.....  
\*Motion made, seconded and unanimously carried to postpone two (2) weeks the discussion and action relating to the creation of a Municipal development corporation to provide educational and job training pursuant to the better jobs act.  
.....

Motion made by Representative Cook, seconded by Representative Cobos and carried to move to the forefront the following Resolution. Representative Medina voted Nay.

### RESOLUTION

**WHEREAS**, the Texas-Mexico border region as a whole, and El Paso County in particular, experiences a long standing and severe physician shortage; and

**WHEREAS**, El Paso County and the entire Texas-Mexico border region suffers from a lack of professional education and training programs, forcing the best and brightest young people to seek professional education far from El Paso and the border region; and

**WHEREAS**, El Paso County has the largest population on the U.S. side of the Texas-Mexico border, experiences health problems of concern to the entire State of Texas, and offers medical researchers, medical students, interns and residents a unique opportunity for their work, studies and training; and

**WHEREAS**, on September 26, 2001, the City of El Paso approved by resolution the creation of the Border Health Institute, a unified health campus dedicated to promoting health education and research of the Americas; and

**WHEREAS**, a four-year El Paso medical school would help alleviate the severe physician shortage in El Paso and other border communities in Texas; and

**WHEREAS**, the creation of a four-year medical school in El Paso has been identified as a top priority by the Texas Tech Board of Regents and the Board of Directors of the Border Health Institute; and

**WHEREAS**, the creation of a four-year medical school in El Paso is essential to the development of the Border Health Institute; and

**WHEREAS**, the City of El Paso has created the Tax Increment Finance District 2 to provide long-term resources for the development of the Border Health Institute.

**NOW THEREFORE, BE IT RESOLVED** that the City Council of El Paso, Texas, fully supports the efforts of the Texas Tech Board of Regents and the Board of Directors of the Border Health Institute to create a four-year medial school in El Paso and urges the Legislature of the State of Texas to provide approval and the designation of funds for this purpose.

Senator Elliot Shapleigh gave City Council a status report regarding the Border Health Institute and asked the City Council for their fervent support for a four-year medical school.

Representative Cook asked that the Resolution be amended to include all City Council Members' names.

Representative Cobos questioned what position the University of Texas at El Paso ("UTEP") was taking in the matter.

Senator Shapleigh responded that El Paso has elements of the health science/health education community under two different systems, even health care programs are under the UTEP system; however, the medical school is under the Texas Tech system. He explained that both entities would be brought together for the Border Health Institute. He noted that once the medical school was in place, UTEP would bring its allied health programs and faculty to the Border Health Institute campus.

Mayor Raymond C. Caballero commended Senator Shapleigh, former Chancellor Monfort, current interim Chancellor Dr. David Smith and Dr. De La Rosa, regional dean of Texas Tech, for making the commitment to this endeavor.

Representative Escobar thanked Mr. Blake Fry for his efforts.

Representative Medina questioned whether the City could become a regional biotechnology research and development center.

Senator Shapleigh commented on the possibility of a "tech incubator" at UTEP. He explained this as the idea of incubating "for profit" companies at UTEP's business school for a period of three years, which would result in getting these companies into the market, creating a competitive niche. He stated that the two most important aspects that the City should focus on are: 1. making sure the focus is on the BHI through the TIF; and 2. working with UTEP to create the "tech incubator" to nurture companies coming online in the biotech industry. He explained that his office offers an online newsletter, which lists all the grant sources throughout the State of Texas.

Representative Sumrall stated she envisions the medical campus as one being in the forefront of research, long distance surgery, diabetes research facilities and biotechnology. She briefly mentioned the possibility of a four-year law school in the City of El Paso.

Senator Shapleigh responded to Representative Sumrall's comments and noted that a \$50 million dollar endowment for research has been allocated, \$40 million dollars has been allocated for a research tower--the research component is almost complete except for the issue of the faculty. He explained that the Texas Tech protocol has selected diabetes, infectious diseases and Hispanic chronic diseases.

Representative Power discussed education concerns such as attrition and drop out rates and stated that without a quality base in education young people will not be able to attend the BHI and/or possible law school.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve the above Resolution, as revised.

.....  
Motion made by Representative Cobos, seconded by Representative Cook and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance changing the zoning of all of Tracts 2S1C and 2S1B1 and a portion of Tracts 2A3A, 2S1, 2S1B, and 2S1C1, Block 6, ASCARATE GRANT, El Paso, El Paso County, Texas (8040 Gateway East) from C-1 (Commercial) to C-4 (Commercial) and imposing certain conditions. The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Ernesto Anaya / Representative: Conde, Inc., 1790 Lee Trevino, Suite 400, El Paso, TX. 79936. ZC-01071

- B. An Ordinance changing the zoning of Tracts 1N5 and 1N12, Block 10, UPPER VALLEY SURVEYS, El Paso, El Paso County, Texas (901 Gomez Road) from R-F (Ranch-Farm) to R-2 (Residential). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant / Representative: Sonia Gomez McPhatter, 901 Gomez Road, El Paso, TX. 79932. ZC-01072
- C. An Ordinance changing the zoning of Tracts 17C79, 17C54, 17C38, 17C130, 17C155, 17C51, 17C15, and 17C145, Section 8, Block 79, TSP 3, T. & P. R. R. COMPANY SURVEYS, El Paso, El Paso County, Texas (North of Vista Del Sol Drive and West of Joe Battle Blvd.) from RMH (Residential Mobile Home) and C-1 (Commercial) to R-3A (Residential). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: J.N.C. Land Company, Inc. / Representative: ATCON Engineering & Surveying, 2112 Trawood, El Paso, TX. 79935. ZC-01073
- D. An Ordinance changing the zoning of Lots 3 and 4, Block 112, VISTA DEL SOL UNIT 16 REPLAT, El Paso, El Paso County, Texas (1488 Lomaland) from P-I (Planned Industrial) to C-4 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Wechter Family L.P./ Representative: Randy Wechter, 5829 North Mesa, El Paso, TX. 79912. ZC-01075

**PUBLIC HEARING WILL BE HELD ON MARCH 5, 2002 FOR ITEMS A - D**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

Representative Sariñana questioned an Ordinance changing the zoning of all of Tracts 2S1C and 2S1B1 and a portion of Tracts 2A3A, 2S1, 2S1B, and 2S1C1, Block 6, ASCARATE GRANT, El Paso, El Paso County, Texas (8040 Gateway East) from C-1 (Commercial) to C-4 (Commercial) and imposing certain conditions. The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Ernesto Anaya / Representative: Conde, Inc., 1790 Lee Trevino, Suite 400, El Paso, TX. 79936. ZC-01071 and what the applicant was proposing to build here. He stated would communicate with the appropriate responsible City Department for further clarification.

Representative Escobar was not present for the vote.

.....  
No action was taken on the Quarterly Report on Budget from Chief Financial Officer.

Mr. Bill Chapman, Chief Financial Officer, discussed the Quarterly Report on the Budget and answered questions from Council Members.

Mayor Raymond C. Caballero commented on the exemplary job performance of the Chief Financial Officer and his department. He commented on the Standard & Poor's report and the City's sound financial position. He asked if the Standard & Poor's report might be placed on the City's website for public information.

Representative Sariñana asked whether the City might raise the bridge fees in order to finance the renovations of the Plaza Theatre.

Representative Power commented on the County's development of a local Sports Authority. He explained that the Sports Authority was interested in promoting sports tourism. He asked if the City might work with the County to capitalize on this idea.

.....  
**ADDITION TO THE AGENDA**

**\*R E S O L U T I O N**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for this contract is in Fiscal Year 2001/2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**SAN JUAN RECREATION CENTER  
DEPARTMENT ID. 51510123, ACCOUNT 502214**

1. CONTRACTOR: Michele Rochel, Aerobics Instructor  
DATES: February 28, 2002, thru July 26, 2002  
RATE PER CL \$8.55  
MAXIMUM AMT: \$513  
CONTRACT: 2001/2002 – 127

.....  
**ADDITION TO THE ADDITION AGENDA**

\*Motion made, seconded and unanimously carried to approve the request of Gran Mercado to use amplification (1 microphone; 1 speaker) at 416 S. El Paso Street on February 12, 2002 thru February 26, 2002 from 10:00 a.m. to 7:00 p.m. for advertising purposes. PERMIT NO. 02-011

.....  
Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

- |                 |                                          |
|-----------------|------------------------------------------|
| Section 551.071 | CONSULTATION WITH ATTORNEY               |
| Section 551.072 | DELIBERATION REGARDING REAL PROPERTY     |
| Section 551.073 | DELIBERATION REGARDING PROSPECTIVE GIFTS |
| Section 551.074 | PERSONNEL MATTERS                        |
| Section 551.076 | DELIBERATION REGARDING SECURITY DEVICES  |

- A. Proposed Sale of a 0.45 acre parcel of vacant land to the adjacent property owner—700 Block of Southwestern Drive, El Paso, Texas. (551.072)
- B. Tax Increment Finance Districts 2 & 3

Motion made by Representative Cook, seconded by Representative Rodriguez and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

.....



Motion made by Representative Medina, seconded by Representative Cook and carried that the request of Harvest Christian Center to purchase a parcel of vacant land located at the 700 Block of Southwestern Drive, El Paso, Texas for less than the fair market value be denied.

Representative Escobar was not present for the vote.

.....  
No action was taken on the discussion on the Tax Increment Finance Districts 2 & 3.

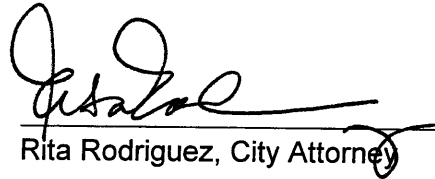
.....  
Motion made by Representative Sariñana, seconded by Representative Medina and unanimously carried to adjourn this meeting at 11:23 am.

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:



Carole Hunter, City Clerk



Rita Rodriguez, City Attorney

